Previous references.

bts 179–10/1-5/11. 1911.

(Courts)

Later references.

File No. 87–11

Serial Nos. 1–2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–2

Part B. for November 1911

SUBJECT.

Stamp fee for an application for the appointment of guardians for minors.

From — the O.C Mysore no: 113 of 25-8-11

1) Enquires the source from which the initial expenditure re guardianship to minors Hosk Kopalaiya & 2 others, have to be met with.

2) To O.C. Mysore — } no: 9 1446-7 of 11.11.11
the Comptroller — }
Sanctions Rs 10/- as an advance for ~~to be adjusted~~
Necessary expenditure to be adjusted

G. R. S. 58

Recorded by Crowdson.

SH 7/2

G.R.S. 11] 1911-12

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Cts File No. 87-11

FILE HEADING.

Stamp fee for an application for the appointment of guardians for minors.

From The Dy Commissioner, Mysore Dist.

No. 113 Dated 25-8-11 Received 29-8-1911.

Diary No. 611 | Enclos. 1 File. Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests instructions as to how the initial expenses connected with the application for the appointment of a guardian to the minors H.K. Gopalaya and two others have to be met.

NOTES AND ORDERS.

Subd for orders with Cts file No 179-10 and a Copy of the Guardian and Ward Regulation 2 ✓

ACS-122 2-9-11 The new guardians and wards Regulation has done away with the Court

NOTES—First sheet

GPB—15,000—24-4-09.

Serial No.

fee which was required to be taken under the Minors' Rules. Where the application for guardianship is by the Deputy Commissioner, under Section (2) of the Regulation, that it shall be by a letter, so that no fee need be paid in the shape of stamps need be paid on such application. As regards the cost incidental to the hearing of the application and its publication in the Gazette under Section 10, it has perhaps to be met out of the contingencies of the Deputy Commissioner's Court to be recouped later on out of the estate of the ward. Withdrawn

2118 (25)
4/9/11

3

Forwarded to the Govt Advocate in Mysore for favour of opinion at an early date

Bo

S Venkatarama Iyer
for Secy

4/9/11.

4

The Expenses Connected with the proceedings in relation to

U.O. 19
D/- 16-9-11

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]

General and Revenue Secretariat. | C/- File No. 87 of 1911-12

Serial No.

The appointment of a guardian & a minor are of a two fold nature
1st Expenses relating to the application for appointment & consequential thereto viz notice, publication in the Gazette &c.
2nd Court fee on the certificate that may eventually be granted
With regard to the 1st item
The application for guardianship is chargeable with a Court fee of 8 as value vide Court Fees Regn III of 1900 - Sch II art 1 Cl (6) para 2.
But in accordance the appn of the 4th Comr. is by means of a nature letter under Sec 9 (2) of the Guardian & Ward Regn V of 1911 the 8 as Court fee prescribed for application need not be necessary in application be paid.
There is no provision of law under which the other expense, incidental to the publication & hea the hearing of the appn

NOTE—Contn. sheet.

GPB—5,000-264-11

G. R. S. 12]
General and Revenue Secretariat.

Ct File No. 87 of 1911-12

Serial No.

are Exempted from payment in
Cases where the applicatn is
made by the Govt Coms
with regard to the 2nd item
Art 9 sch I of the Court Fees
Regn which prescribes the fee
for certificate of administration
under the old Minors' Rules
has been repealed by the
Guardian & Wards Regn
As such no fee is now
payable for certificate
granted under the Regn
Endorsement for
66 Fr 154 - Govt Advocate

Subs for orders.
HCS-122 SW(II)
19-9-11

Please put up a Copy of
the new Guardian & Wards
Regn
SH

Ch
Subs
Please see flag O. below.
HCS-122
21-9-11 SW(II)

20/9/11
Put up draft as req'd by the Govt Advocate's
opinion
SH

Ch 21/9/11

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

File No. Ct 87 of 1911-12

Serial No.

10
Submitted with a draft Order
Ag-122 SW(11)
27-9-11 28/9/11

11 May be appd
27/10/11

2nd dy
12 But how is the Govt
to find the money for 'Cost
of publication'. The draft
is also too discursive.
28/10/11

13. Bring up personally
tomorrow

Cs
14
Subd with a revised draft as instructed.
Ag-122 SW(11)
1-11-11 1-11-11

15 The revised draft may
perhaps be appd
2/11/11

B
14/11/11

16
2nd dy Draft appd by 2nd Councillor
MS 4.11.11

17

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.	
2	To the D.C. Mysore & the Comptroller & Regr, ch. ct, & the DC's of other Districts No J 14467 dt 11-11-11 Observes that, inasmuch as the application for the appointment of a guardian to the minors in question has to be made by the D.C. by means of a letter under section 9(2) of the Guardians & Wards Regulation, F of 1911, the Stamp fee of 8 as prescribed by Art I clause (b) para (2) of Schedule II to the Mysore Court Fees Regulation need not be paid and states that, with a view to meet other incidental Expenses in the case, a Sum of Rs 10 is sanctioned as an advance to be adjusted in due course out of the estate belonging to the minors.

NOTE—Contn. sheet.

GPB—55,000—27-4-0.

III 29/8/11

1907 RY No. 7611

From M. Kanakaraya 1911-39 Esq., B.A.
Deputy Commissioner,
Mysore District.

No. 87-11

SERIAL No. (5)

To C. Balasubramanya Iyer Esq. B.A
Secy. to Govt. of Mysore,
Gen. & Rev. Depts.

Dated 25th August 1911.

Despatched 28th

Received

General No. 113

No.

Enclosure No File

Requesting to be informed about the source from which the costs for making an application to the Sub-Judge's Court at Mysore in re the appointment of a guardian to certain minors, proteges of the Srinivasa Mandiram is to be met.

GBPM—21-9-1910—1,000

No. 113
Enc. No. 2-6

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,

Dated Mysore Camp 25th August 1911.

FROM
M. Kantaraj Urs Esq., B.A.
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To
C.S. Balachandra Iyer Esq., B.A.
Offg. SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

SIR,

With reference to your letter no. J. 2367/Cfs 179-10-2 of 18-2-1911, I have the honor to state that I issued orders to the Amildar of Krishnarajpet to apply to the proper Court for the appointment of a guardian to the estate of the minors under the protection of the Srinivasa Mandiram and Charities, that the Amildar accordingly applied to the Sub-Judge's Court in Mysore under Rule 4 of the Minor Rules and that the Sub-Judge, now requests to be informed whether under

under the provision of any Regulation the application is exempted from the payment of Stamp fee and the costs of publication in the Gazette.

In the Stamp Law there does not appear to be any provision granting exemptions to such applications, nor is there any clause in the recently passed Guardians and Wards Regulation regulating the payment of Stamp fee (Vide Section 48).

Under these circumstances, I request to be informed as to how the above and other costs are to be met in the first instance.

The memorandum file ending with French Rocks Division Officer's yadi no. 86/159 of 3-8-1911 accompanies.

I have the honor to be
Sir
Your most obedient Servant

Deputy Commissioner
Dharpore District.

G.R.S. 28]

Cts File No. 87–11

Serial No. 2.

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(cts)

, *the* 19

Date of issue 11-11-11

Signed by Mr S. Srinivasaraja

READ— Letter No 113 dated the 25th August 1911 from the Dy Commissioner, Mysore District requesting instruction as to how the initial expenses

ORDER THEREON.—No.

connected with the application for the appointment of a guardian to certain minors should be met

P. J.

Be the in the legal Srinivasa Mandiram Orphanage Bangalore

over.

SUBJECT.

GPB—10,000 - 29-9-10

Copy

Order thereon No. 3144/1-4/Cls 8-7-11-2 & 11-11-11

Govt observe that inasmuch as the application for the appointment of a guardian to minors in question has to be made by the Dy Commissioner by means of a letter under Section 9(2) of the Guardian and Ward Regulation V of 1911 it is unnecessary the Stamp to affix fee eight annas prescribed by article I Clause (b) para (1) of Schedule II to the Civil Court Fees Regulation and not be paid with a view to meet other incidental expenses in the case Sanction of Govt should be obtained for an advance due course to be adjusted out of the estate of the minors in due course, To meet such expenses in the present case, a sum of

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

5

Rs 10 is sanctioned as an advance to be adjusted in due course out of the Estate belonging to the minors.

for Secy to Govt.

SW(II)

To

~~The Registrar, Chief Court~~

" Dy Commissioner, Mysore District

4/11/11

(returning the record)

~~Comp to Govt~~

~~Dy Commrs Report~~

~~Extracts~~

DfO

ACS-III

1-11-11